

**Notice of Allowability**

Application No.

10/565,822

Examiner

KEEGAN GUMBS

Applicant(s)

YOON, HYUN-SON

Art Unit

4128

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview conducted on 4/24/2009.
2. ☒ The allowed claim(s) is/are 5-7 and 9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20090424</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Juneko Jackson on April 24, 2009.

The application has been amended as follows:

Claims 4 and 8 have been canceled

New claim 9 has been added as follows:

9. A safety knock-type writing instrument, comprising:
- a barrel having a cartridge therein;
  - a half gear unit provided on an exterior of the barrel and rotatably seated in a clip, wherein the half gear unit has a shape of an eccentric gear which rotates about a central axis thereof, and comprises:
    - a first rotation guide part providing a spirally inclined slide surface so that the first protrusion of the knock unit slides along the first rotation guide part to rotate the half gear unit within a predetermined angular range;
    - a first inclined groove part provided at a lower end of an inclined surface of the first rotation guide part to form a linearly inclined slide surface and a flat surface in a direction of an axis of rotating shafts, the

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first inclined groove part serving as a locking step using a height difference;

a first protrusion seat provided at an end of the fiat surface of the first inclined groove part to have a height different from the first inclined groove part, the first protrusion seat having a spirally inclined slide surface and a sharp corner, thus seating and stopping the first protrusion when the cartridge is extended;

a second rotation guide part provided above the sharp corner of the first protrusion seat, and having a toothed shape with a spirally inclined slide surface;

a second inclined groove part which is the equal to the first inclined groove part, but has a linear inclined slide surface and a flat surface in an opposite direction to the first inclined groove part;

a third rotation guide part having a slide surface so that the second protrusion of the knock unit slides along the third rotation guide part;

a second protrusion seat to function as a stopper of the second protrusion; and

first and second sidewalls provided outside the first and second inclined groove parts to be perpendicular to the first and second inclined groove parts, the first and second sidewalls guiding and restraining the rotation of the first protrusion within the predetermined angular range; and

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a knock unit positioned in the barrel, and including first and second protrusions to engage with the half gear unit;

wherein the cartridge is retracted into the barrel when the first protrusion of the knock unit disengages from the half gear unit; and

the half gear unit rotates in a rotating direction and an opposite rotational direction (Q), in response to reciprocating motion of the knock unit in a pushing direction (F) and a releasing direction (R).

In claims 5-7:

Line 1: delete "4" and substitute --9--.

Claims 5-7 and 9 are allowed over the prior art of record.

2. The following is an examiner's statement of reasons for allowance: none of the cited prior art teaches a safety knock-type writing instrument having, in conjunction with other limitations, a half gear unit seated in a clip having various grooves and guides to aid retraction and projection of a cartridge as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEEGAN GUMBS whose telephone number is (571)270-5608. The examiner can normally be reached on Monday through Friday 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoa Huynh can be reached on 5712724888. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Khoa D. Huynh/  
Supervisory Patent Examiner, Art Unit 4128